

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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KEVIN FERNANDEZ,)	3:06-cv-00628-LRH-RAM
)	
Plaintiff,)	<u>ORDER</u>
)	
vs.)	
)	
STATE OF NEVADA, et al.,)	
)	
Defendants.)	

Before the court is Plaintiff's Motion for Review and Objections to Magistrate's Decision (#62¹) regarding Magistrate Judge McQuaid's Order (#59) denying Plaintiff's Motion for Appointment of counsel (#55) which the court will treat as a motion to reconsider Magistrate's Order (#55). Defendants have responded (#66) and Plaintiff has replied (#74).

The Court has conducted its review in this case, has fully considered the Plaintiff's motion, and other relevant matters of record pursuant to 28 U.S.C. § 636 (b) (1). The Magistrate Judge's ruling was neither clearly erroneous nor contrary to law. Moreover, this court agrees with the Magistrate's order upon the same grounds and rationale as set forth in the Magistrate Judge's Order (#59).

The Magistrate Judge's Order (#59) will, therefore, be sustained and Plaintiff's motion (#62) is denied.

IT IS SO ORDERED.

DATED this 13th day of March, 2009.

LARRY R. HICKS
UNITED STATES DISTRICT JUDGE

¹Refers to this court's docket number.